



U.S. Department of Justice

*United States Attorney
Eastern District of New York*

JMM:SK
F. #2013R00948

*610 Federal Plaza
Central Islip, New York 11722*

September 11, 2014

By FedEx & ECF

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Re: United States v. Philip Kenner & Tommy C. Constantine
Criminal Docket No. 13-607 (JFB)

Dear Counsel:

Enclosed please find discovery provided by the government in accordance with Rule 16 of the Federal Rules of Criminal Procedure. This discovery supplements the discovery provided on January 16, 2014, January 23, 2014, February 10, 2014, March 6, 2014, March 11, 2014, March 24, 2014, April 11, 2014, May 21, 2014, June 6, 2014, August 6, 2014, August 15, 2014, August 20, 2014, August 22, 2014, August 27, 2014, August 28, 2014, August 29, 2014 and September 2, 2014. The material below also includes early disclosure of material governed by 18 U.S.C. § 3500. The government renews its request for reciprocal discovery.

Enclosed please find the following:

- Records provided by Kenner to the Securities and Exchange Commission (bates-numbered PK_SEC 1-26086);
- Emails containing defendants' statements (bates-numbered EMAIL 381-826);

- Transcripts of depositions in Kenner v. Myrick and Nolan v. Kenner, including Kenner's deposition in Kenner v. Myrick, and related exhibits (bates-numbered BN DISK 2-4);
- A recording with Ron Richards (bates-numbered RREC 2);
- Recordings with Robert Gaudet (bates-numbered GREC 1-6);
- Records obtained from Fireman's Fund Insurance Company (bates-numbered FFIC 517-613);
- Records obtained from Stewart Title (bates-numbered S-TITLE 1-1291);
- Records pertaining to a Hermosa Beach property (bates-numbered HER 1-132);
- Records pertaining to Innisbrook House (bates-numbered INN 1-93);
- Bank records obtained from individual(s) (bates-numbered BNK-MM 1-493); and
- Records obtained from Lehman Brothers (bates-numbered LBI DISK 1-7).

The government will continue to provide discovery. Please contact me or AUSA James Miskiewicz if you have any questions or requests.

Very truly yours,

LORETTA E. LYNCH
United States Attorney

By: /s/Saritha Komatireddy
Saritha Komatireddy
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Enclosures

cc: Clerk of the Court (JFB) (by ECF) (without enclosures)